REMARKS

This Amendment and Request for Reconsideration is submitted in response to the Office Action mailed on 24 June 2008.

In the present Amendment, the Applicants amend claims 1-4, 8, 13, 17, 21, and 24-25; no claims have been added or canceled. The Applicants respectfully requests entry of the amendment and reconsideration of the claims as amended. The Applicants submit that no new matter has been entered; the amendment is fully supported by the application as originally filed.

In the Office Action of 24 June 2008, the Examiner rejected claims 1-5 and 7-24 under 35 U.S.C. Sect. 102(e) as being anticipated by Black (U.S. Patent No. 7,130,282). In addition, the Examiner rejected claim 6 as being unpatentable over Black (U.S. Patent No. 7,130,282) in view of Yi et al. (U.S. Patent No. 6,498,787). In response, the Applicant respectfully disagrees with the rejection of claims and submit that the claims are allowable over the relied upon art for at least the following reasons.

In order for claims to be properly rejected under 35 U.S.C. § 102 or 103, the prior art in combination must teach or suggest each and every limitation of the claims. In the present case, the relied upon art fails to teach or suggest each and every limitation of the claims as amended.

1. The Relied Upon Art Fail To Teach Or Suggest A Private Instant Communications Processing Element Of A Private Communication Network Which Interacts With A Carrier Instant Communications Processing Element of A Carrier Network As Claimed.

Claims of the present application relate to a "*private instant communications processing element*" which is adapted to "perform instant communications signal processing upon the received instant communications signals" which are transmitted to

a "*carrier instant communications processing element* in the first carrier network for communication to other wireless user devices operative in the first carrier network" (see e.g. claim 1) or the like. Similarly, for example, claim 21 recites "a private instant communications client adapted to participate in instant communications sessions delivered via *the carrier instant communications processing element* in the carrier network, such that session communications are routed and processed through *a private instant communications processing element* of a private communication network, when the wireless user device operates in the carrier network."

The relied upon art alone or in combination fails to teach or suggest a private instant communications processing element of a private communication network which interacts via a carrier instant communications processing element of a carrier network, as claimed. One example of a carrier instant communications processing element is a Push-to-talk Over Cellular (PoC) server.

In the rejection of claims, the Examiner primarily relies on the Black reference. The Examiner states that "Black discloses the combined signal is transmitted to a PoC (push-to-talk over cellular) server within the carrier network where the combined signal is treated as coming from a single user (see col.6 lines 20-21)." There, in column 6 at lines 20-21, Black states that "[i]n the case of CDs 202, 204, and 206, the request is transmitted over-the-air to one or more base stations 216. MSC 220 comprises a well-known Inter Working Function (IWF) (not shown) for processing data packets, including the request, between MSC 220 and data network 214."

In response, the Applicants respectfully submit that the elements described in Black (e.g. the IWF or other) are not the same as any "PoC server", or any "carrier instant communications processing element", as claimed. One ordinarily skilled in the art would not characterize those elements as any "carrier instant communications processing element" as claimed.

As apparent, the Black reference fails to teach or suggest the limitations of the claims as amended. The Yi et al. reference fails to make up for the deficiencies of Black.

For these reasons alone, the rejections should be withdrawn and the claims as amended be allowed over the prior art of record.

2. The Relied Upon Art Fails To Teach Or Suggest The Producing Of A "Combined" Or "Identity-Hiding" Signal By A Private Instant Communications Processing Element Of A Private Network For Communication To A Carrier Instant Communications Processing Element Of A Carrier Network.

Claims of the present application relate to "a PICP (private instant communications processing element) adapted to connect in a private communication network, and to combine signals from at least one of the private user devices operating in the first carrier network into *a combined generic signal for inclusion as one input to an instant communications session delivered by the CICP* via said carrier network" (see e.g. claim 13) or the like. Similarly, for example, claim 25 recites "a PICP (private instant communications processing element) of a private communication network which is adapted to receive and process the signals from the private user devices operating in a carrier network for communication to a CICP (carrier instant communications processing element) of the carrier network which is adapted to deliver the PoC communication session" where "*signals of the private user devices are included in the PoC communication session in a manner that hides identities of the private user devices.*"

The relied upon art alone or in combination fails to teach or suggest producing a combined or identity-hiding signal by a private instant communications processing element for communication to a carrier instant communications processing element. One example of a carrier instant communications processing element is a Push-to-talk Over Cellular (PoC) server.

In the rejection of claims, the Examiner primarily relies on the Black reference. The Examiner states that "Black discloses the combined signal is transmitted to a PoC (push-to-talk over cellular) server within the carrier network where the combined signal is treated as coming from a single user (see col.6 lines 20-21)." There, in column 6 at

lines 20-21, Black states that "[i]n the case of CDs 202, 204, and 206, the request is transmitted over-the-air to one or more base stations 216. MSC 220 comprises a well-known Inter Working Function (IWF) (not shown) for processing data packets, including the request, between MSC 220 and data network 214."

In response, the Applicants respectfully submit that the processing described in the Black reference is not that which is claimed. For one, there is no "private instant communications processing element" which performs the claimed processing in the passage referenced by the Examiner. Secondly, the signals are not described as being combined from at least one private user device operating in the carrier network for inclusion as one input to an instant communications session delivered by the carrier instant communications processing element.

As apparent, the Black reference again fails to teach or suggest the limitations of the claims as amended. The Yi et al. reference fails to make up for the deficiencies of Black. For these reasons alone, the rejections should be withdrawn and the claims as amended be allowed over the prior art of record.

Additional reasons for allowability of these independent and dependent claims are apparent to those ordinarily skilled in the art, but are not detailed herein due to the already-presented reasons for allowability.

Again, the Applicant respectfully requests entry of the Amendment and reconsideration of the claims. Based on the reasons provided herein, the Applicant submits that the application as amended is now in a condition suitable for allowance.

Thank you. Please feel free to contact the undersigned if it would expedite the prosecution of the present application.

Respectfully submitted,

/John J. Oskorep/

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